

wherein a sample of said seed has been deposited under ATCC Accession No. PTA-2100.

20. (New). A marigold plant, or its parts, regenerated from the tissue culture of claim 19 and capable of expressing all the morphological and physiological characteristics of hybrid marigold plant 50011, a sample of said seed having been deposited under ATCC Accession No. PTA-2100.

²¹
20. (New). A method for developing a marigold plant in a marigold breeding program using plant breeding techniques which include employing a marigold plant, or its parts, as a source of plant breeding material comprising, using the marigold plant, or its parts, of claim 13 as a source of said breeding materials.

²¹
no 21. (New). A marigold plant produced by the method of claim ²¹20.

²³
22. (New). Seed produced from the marigold plant of claim ²²21.

²⁴
23. (New). A method for producing marigold seed, the method comprising the step of crossing the plant of claim 13 with another, different marigold plant.

²⁵
24. (New). Marigold seed produced by the method of claim ²⁴23.

²⁶
25. (New). A marigold plant, or its parts, produced by growing the marigold seed of claim ²⁵24.

²⁷
26. (New). Marigold seed produced from the marigold plant of claim ²⁶25.

²⁸
27. (New). A marigold plant, or its parts, wherein at least one ancestor of said marigold plant is the marigold plant, or its parts, of claim 13, said marigold plant capable of expressing at least one marigold plant 50011 trait selected from the group consisting of: high xanthophyll production, male sterility and fully-double flowers.

²⁹
28. (New). A marigold plant having within its pedigree marigold line 50011, wherein said plant has all the morphological and physiological characteristics of line 50011.

³⁰
29. (New). Marigold seed produced from the marigold plant of claim ²⁹28.

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following arguments is respectfully requested.

Claims 1-11 have been deleted. Claims 12-29 have been added. Applicants submit that these claims do not involve any new matter.